

Appln. No.: 09/466,171
Response submitted Oct. 7, 2004
Replying to Office action dated June 7, 2004

PATENT
Customer No. 22,852
Attorney Docket No. 07451.0005-03
InterTrust Ref. No. IT-7.3 (US)

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings includes changes to Figures 16F, 17E(4), 40, 48, 53, and 58C, reflecting the correction of informalities requested by the Office.

Attachments: 6 Replacement Sheets
 6 Annotated Sheets showing changes

REMARKS

In response to the Office Action mailed June 7, 2004 ("OA"), the period for response having been extended to October 7, 2004 by the accompanying Petition for one-month Extension of Time and authorization to charge the required fee, please make the specified changes and consider the following remarks. By this response, claims 1 and 37-41 are canceled without prejudice, and no new claims are added. Thus, claims 21-36 and 42-51 are now pending in this application.

In the Office Action, the Examiner has: (i) restated the restriction requirement of February 11, 2004, to which Applicants have replied; (ii) requested correction of informalities in Figures 16F, 17E(4), 40, 48, 53, and 58C; (iii) rejected claims 37-41 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description and enablement requirements; (iv) rejected claim 1 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,713,753 to Boebert et al. ("Boebert"); and (v) indicated that claims 21-36 and 42-51 are allowed.

Election/Restriction

Applicants hereby reconfirm the election of Group I (claims 1 and 21-51) without traverse. The non-elected claims have been canceled.

Drawings

Formal drawings (Figs. 16F, 17E(4), 40, 48, 53, and 58C), reflecting the correction of informalities requested by the Office, are attached hereto.

Claim Rejections – 35 U.S.C. § 112

Claims 37-41 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement (see, OA, pg. 4, ¶ 11) and the enablement requirement (see, OA, pg. 5, ¶ 12).

Applicants respectfully disagree with the Examiner's assertions concerning the lack of conformity with the requirements of 35 U.S.C. § 112; however, in an effort to narrow the issues and not for reasons relating to patentability, Applicants cancel claims 37-41 without prejudice and reserve the right to pursue these claims in a continuation application. Based upon the foregoing, Applicants respectfully submit that the instant rejections under 35 U.S.C. § 112 are now moot.

Claim Rejections – 35 U.S.C. § 102

Claim 1 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,713,753 to Boebert et al. ("Boebert").

Applicants respectfully disagree with the Examiner's characterization of Boebert; however, in an effort to narrow the issues and not for reasons relating to patentability, Applicants cancel claim 1 without prejudice and reserve the right to pursue this claim in a continuation application. Based upon the foregoing, Applicants, respectfully submit that the instant rejection under 35 U.S.C. § 102 is therefore moot.

Allowable Subject Matter

Claims 21-36 and 42-51 are allowed. In view of the foregoing claim cancellations and remarks, as well as the formal drawings submitted herewith, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Comments on Statement of Reasons for Allowance

Applicants respectfully note general disagreement with the Office's statement of reasons for allowance. It appears that the Examiner has inadvertently written language into the claims as limitations that are clearly not present in the claims. By way of example and not limitation, Applicants note the following:

With respect to claims 21-26, the Office expressly writes the limitation of, "an access condition for transmission of the secure container" (OA, pg. 9, line 12). This language is not present in any of claims 21-26. Therefore, Applicants respectfully dispute that any subject matter, beyond that which is specifically recited in the claims, is somehow "incorporated into independent claim 21" as might be suggested by the Office's statements and reasons for allowability (see, e.g., OA, pg. 9, lines 21-22).

With respect to claims 27-31, for example, the Office states, "at the first checkpoint, determining, based on the rule set ..." (OA, pg. 10, line 10). The term "rule set" is not present in the listed portion of claim 27; the salient portion of claim 27 refers to "routing information." Again, by way of this example, Applicants respectfully dispute that any subject matter, beyond that recited in the claims, is somehow "incorporated in

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independent claim 27" as might be suggested by any of the Office's statements (see, e.g., OA, pg. 11, lines 9-10).

Similarly, with respect to claims 32-36, 42-46, and 47-51, Applicants respectfully dispute that any subject matter, beyond that recited in the claims, is somehow incorporated into these claims, as might be suggested by any of the Office's statements.

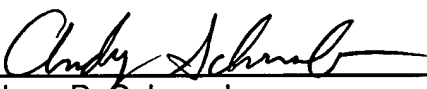
In general, with respect to all of the allowed claims, Applicants respectfully object to the Examiner's reasons to any extent that they provide statements capable of allowing additional limitation to be read into the claims. Furthermore, it is also noted that this response shall in no way be construed as Applicant's acquiescence to any characterizations of Stefik set forth in the Reasons for Allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

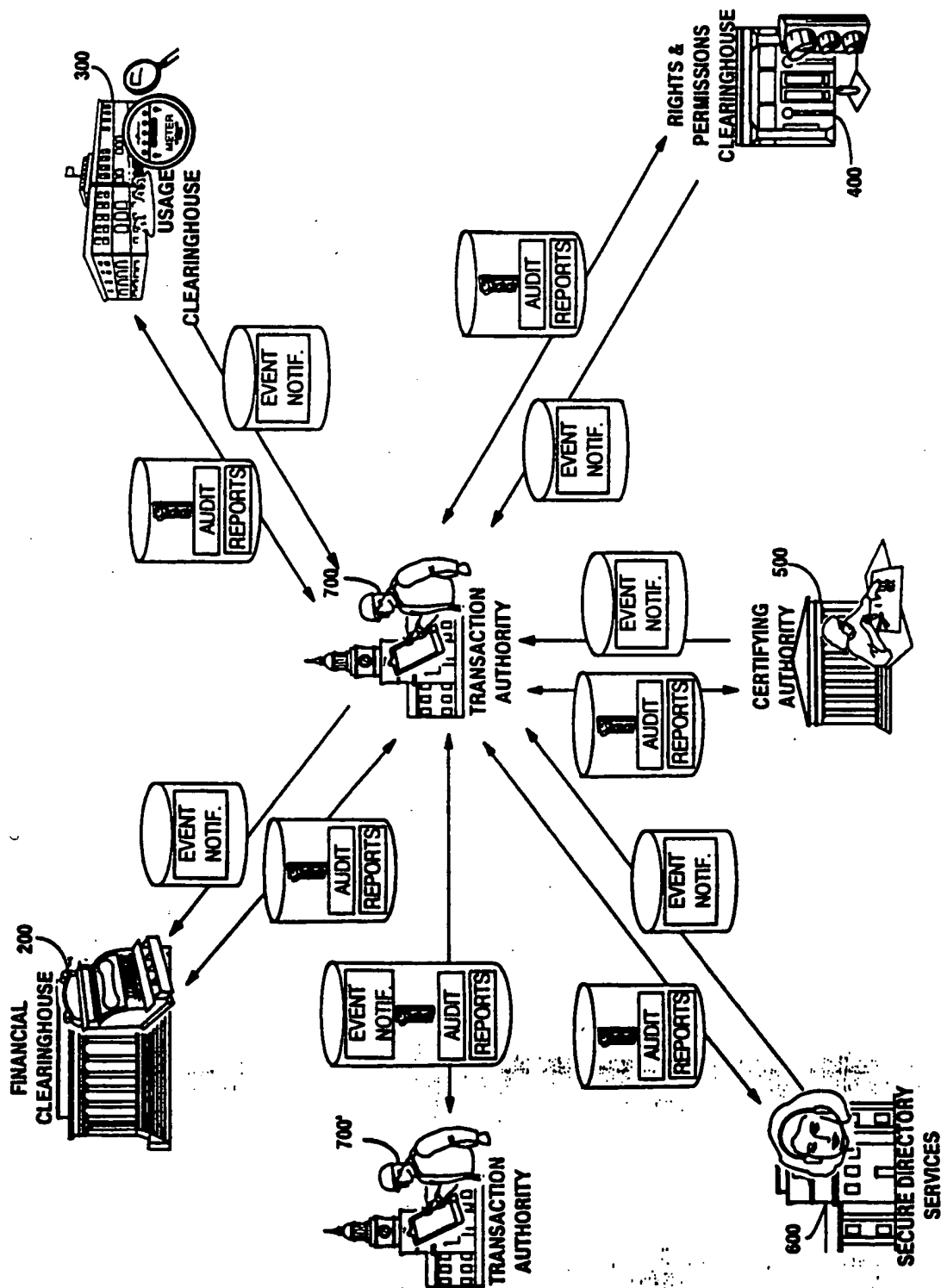
Dated: October 7, 2004

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Attachments: **6 Replacement Sheets (Figures 16F, 17E(4), 40, 48, 53, and 58C)**
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FIG. 16F



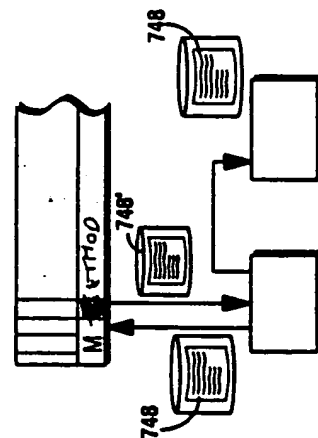
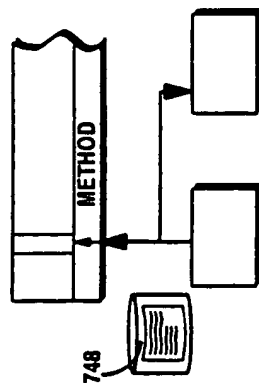
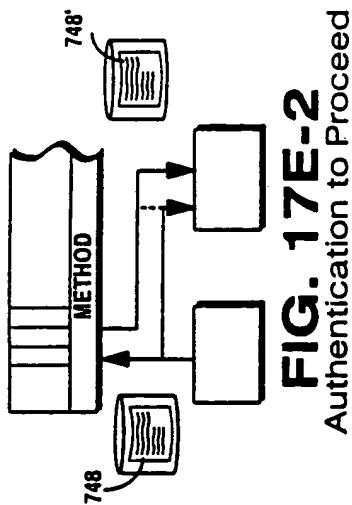
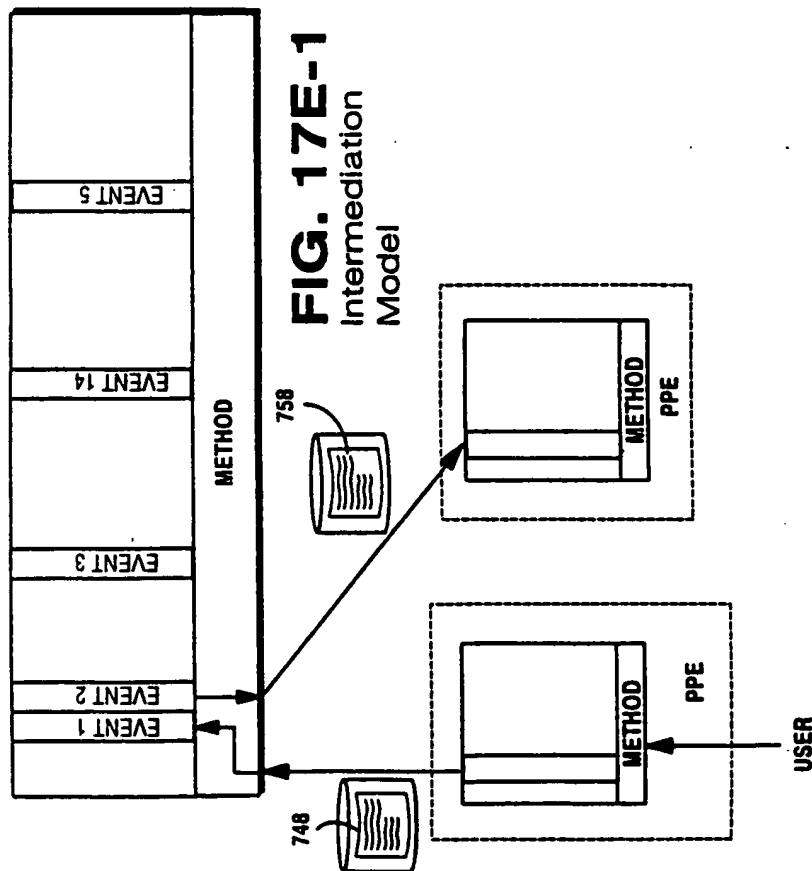


FIG. 17E-4
 Prior Authorization Model

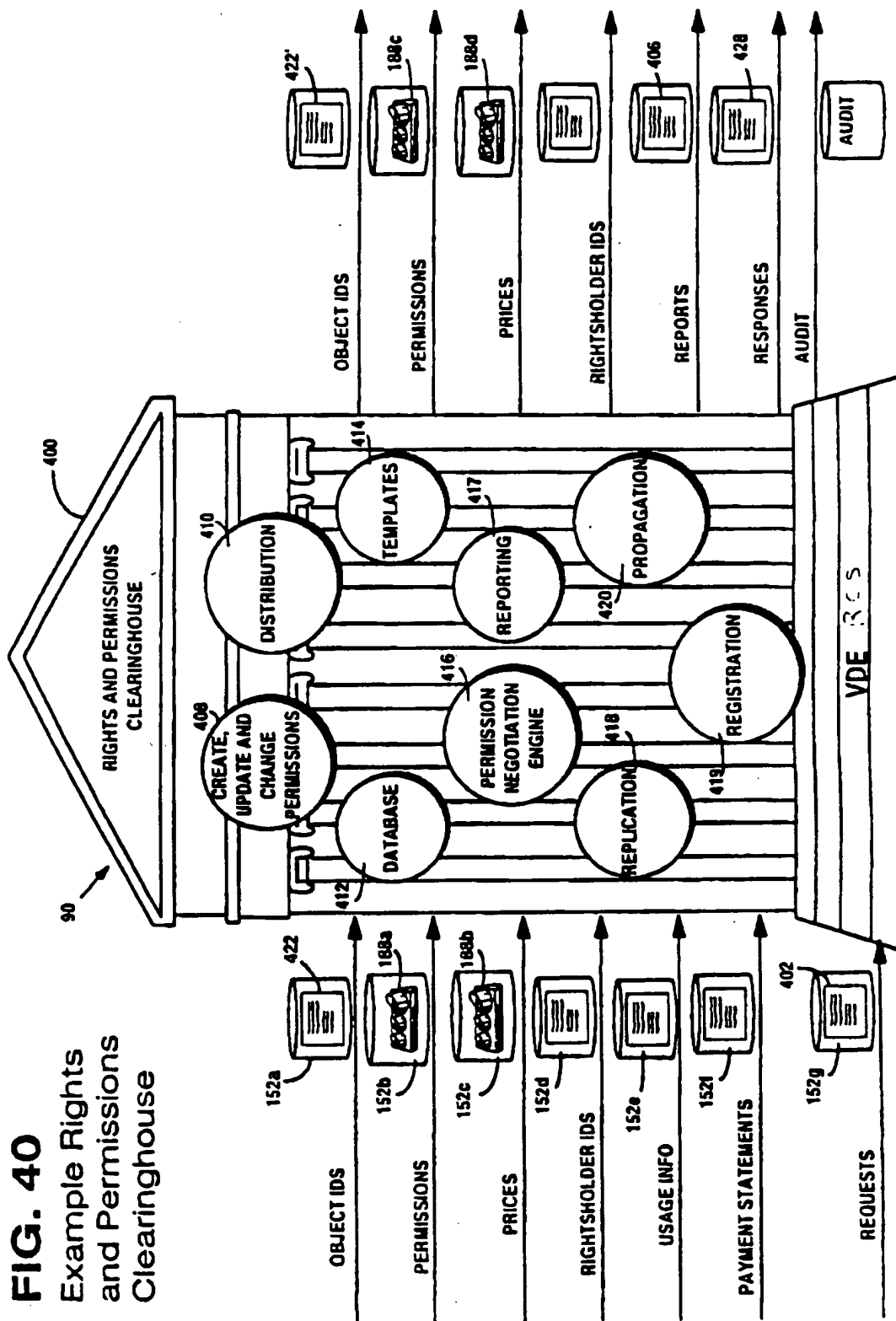


FIG. 40
Example Rights and Permissions Clearinghouse

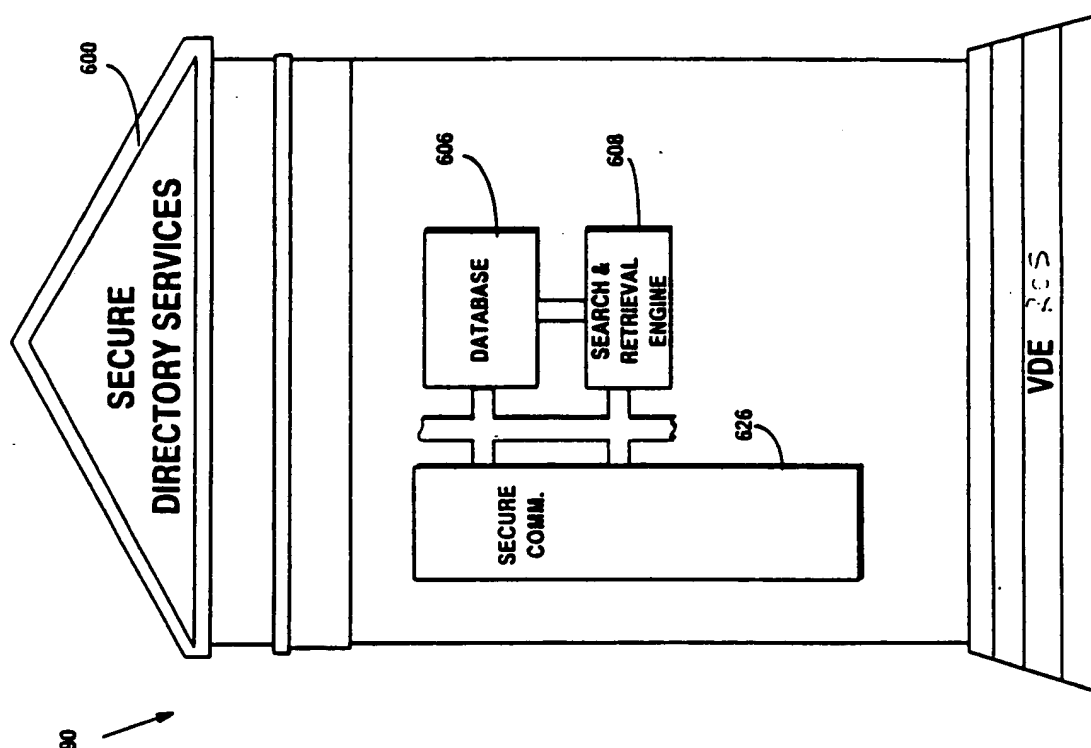
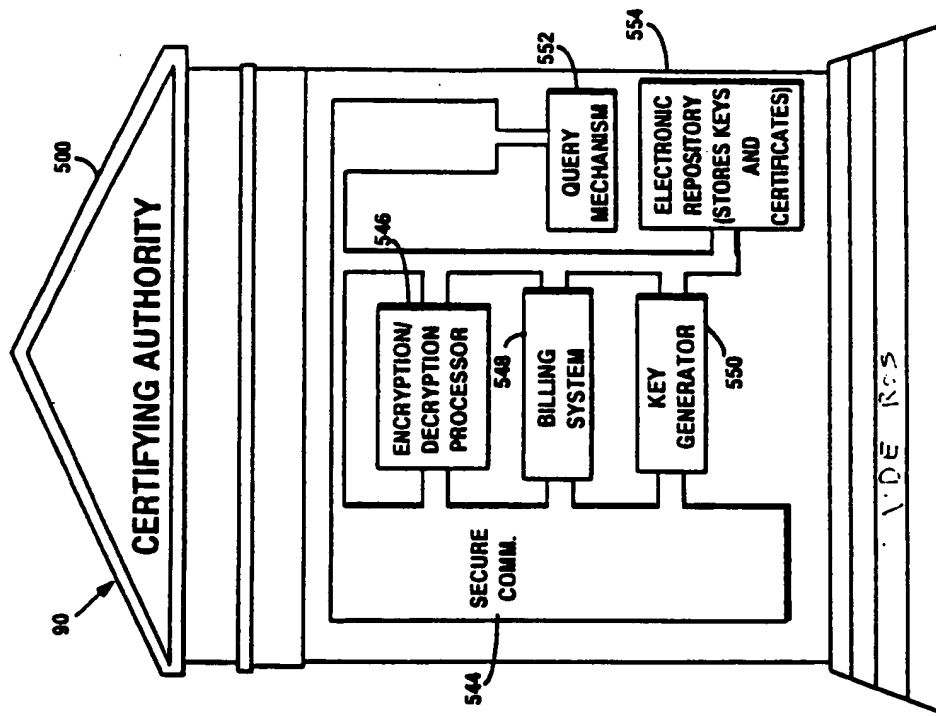


FIG. 53
Example Secure
Directory Services



FIG. 48
Example Certifying
Authority



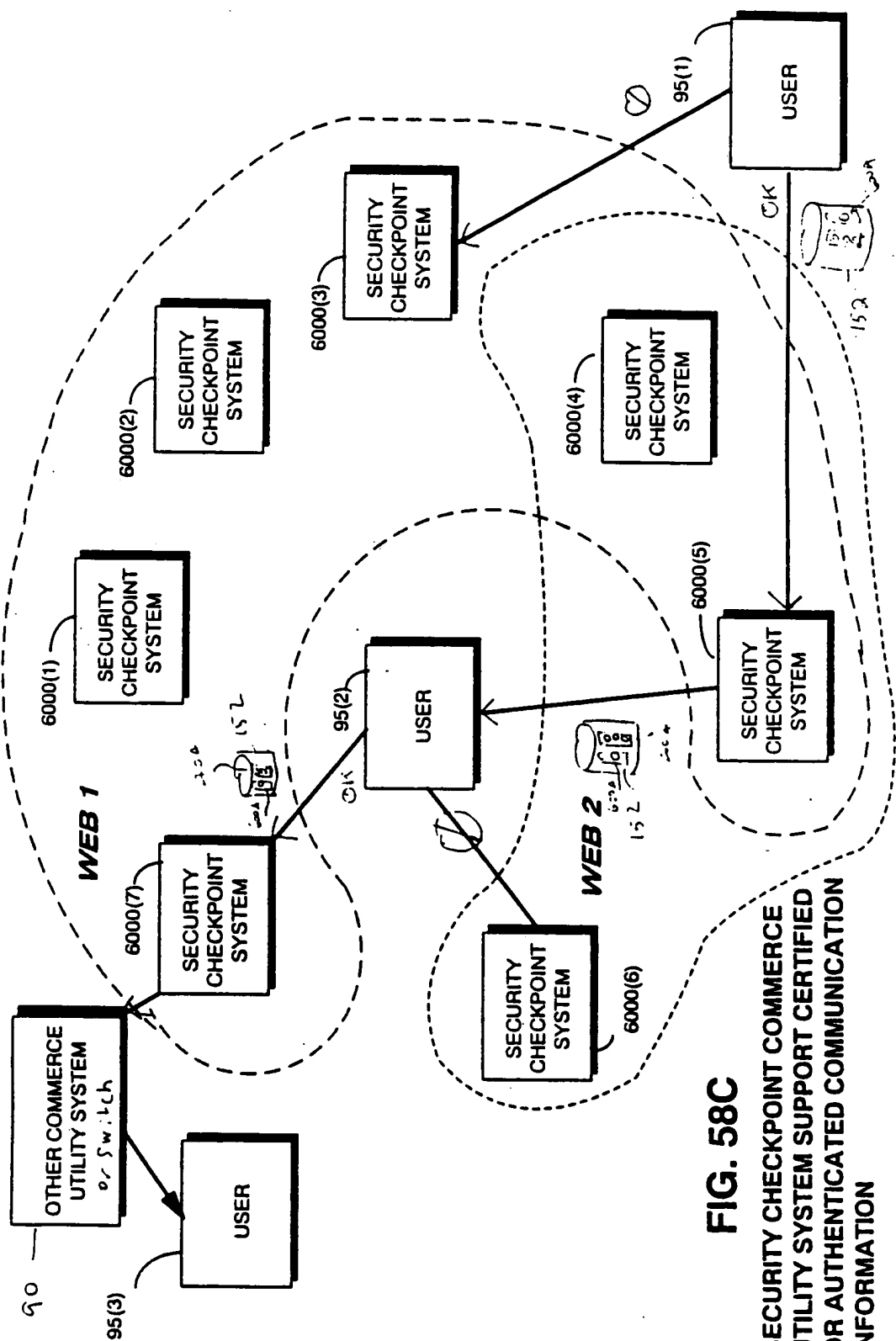


FIG. 58C

SECURITY CHECKPOINT COMMERCE
 UTILITY SYSTEM SUPPORT CERTIFIED
 OR AUTHENTICATED COMMUNICATION
 INFORMATION